

tem; providing for the relocation of the State Penitentiary System; providing for the disposition of the penitentiary property to accomplish the purpose of this Act; providing for a modern penitentiary system and facilities; providing for the purchase of the necessary property for such system and facilities; providing for the operation and maintenance of said system; providing the necessary officers, agents and employes and making the necessary appropriation to carry out the purpose of this Act, and declaring an emergency."

Have had the same under consideration and be leave to report the same back to the Senate with the recommendation that it do pass.

FAIRCHILD, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, March 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, a minority of your Committee on Penitentiaries, to whom was referred

S. B. No. 369, A bill to be entitled "An Act amending Chapter 57 of the General Laws of the First Called Session of the Thirty-seventh Legislature, relating to the State Penitentiary System; providing for the relocation of the State Penitentiary System; providing for the disposition of the penitentiary property to accomplish the purpose of this Act; providing for a modern penitentiary system and facilities; providing for the purchase of the necessary property for such system and facilities; providing for the operation and maintenance of said system; providing the necessary officers, agents and employes and making the necessary appropriation to carry out the purpose of this Act, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

STRONG.

REAL.

RUSSEK.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on

Towns and City Corporations, to whom was referred

S. B. No. 345.

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

Committee Room,

Austin, Texas, March 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 226.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 422,

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

FORTY-SIXTH DAY.

Senate Chamber,

Austin, Texas,

Friday, March 13, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following senators answering to their names;

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Absent—Excused.

Bailey.

Stuart.

Prayer by chaplain, Dr. Clark.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Ward.

Excused.

Senator Stuart was excused for today and tomorrow on account of important business on motion of Senator Wood.

Bills and Resolutions.

By Senator Russek:

S. B. No. 457, A bill to be entitled "An Act making an appropriation to the Department of Banking for enforcement of the State Banking Laws, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Hardin of Kaufman:

S. B. No. 459, A bill to be entitled "An Act making certain appropriations for the State Reclamation Department."

Read first time and referred to Committee on Finance.

By Senator Wood:

S. B. No. 458, A bill to be entitled "An Act authorizing the Governor of Texas to make sale and execute a deed, disposing of the south half of Block 59, situated on East Fifth Street in the City of Austin, Travis County, Texas, at such price and on such terms as may meet the approval of the Governor, Commissioner of the General Land Office and Attorney General, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

Senate Resolution No. 66.

By Senators Moore of Cooke and Fairchild:

Whereas, Former Governor James E. Ferguson was in the year 1917 impeached by the Senate of Texas, upon Articles of Impeachment prepared and presented by the House of Representatives under the provisions of the Constitution of this State, and removed from office, and by said sentence was prohibited from holding any office of honor, trust or profit in the State of Texas, and

Whereas, the judgment and sentence of the Senate of Texas sitting as a Court of Impeachment is still in force and effect, and

Whereas, Mrs. Miriam A. Fergu-

son, the wife of the said James E. Ferguson was elected Governor of Texas following two campaigns in which she declared and maintained that the disqualifications hereinbefore mentioned as to the said James E. Ferguson should be removed, and that he should be restored to all his rights of citizenship, and

Whereas, the people of Texas apparently endorsed the proposition of the present Governor of Texas upon said issue, and

Whereas, the people of Texas apparently desire that said disqualifications be removed, and

Whereas, the Senate of Texas in its legislative capacity at the present session has passed an amnesty bill designed and intended to remove said disqualifications, which bill has also finally passed the House of Representatives, and

Whereas, it has been contended and is now maintained by some persons that the Legislature may not possess the constitutional right or power to enact said legislation, which contention, whether well founded or not, portends vexatious litigation on such subject, and

Whereas, the judgment and sentence of the Senate of Texas was passed by said Senate sitting as a Court of Impeachment, now, therefore,

Be it Resolved by the Senate of Texas, That it do, and hereby does resolve itself into a Court of Impeachment for the purpose of considering, modifying, changing or setting aside the said judgment and sentence of the Senate of Texas in imposing the disqualifications upon the said James E. Ferguson from holding any office of honor, trust or profit in this State, and take such other action with respect to said judgment and sentence as in the judgment of the Senate sitting as a Court of Impeachment, it may have the right to take, or in its judgment ought to take, and

Be it further resolved, That in the adoption of this resolution the Senate of Texas hereby disclaims any intent to reflect upon the action of the Senate of 1917, or of any individual member of said Senate sitting as a Court of Impeachment, in passing said sentence and judgment upon the said James E. Ferguson, but that upon the contrary, this Senate does hereby accord to the said Senate of 1917 sitting as a Court of Im-

peachment, good faith and honest intention in passing said judgment and sentence, and

Be it further resolved, That for the purpose hereinbefore mentioned, the Senate do, and it hereby does resolve itself into a Court of Impeachment, and sit as such at 2 o'clock p. m. on March 16, 1925.

The above resolution was read, and Senator Moore of Cooke moved that the consideration be set for tomorrow morning at the conclusion of the morning call.

Senator Wirtz moved, as a substitute, for the Moore of Cooke motion, that the resolution be referred to the Committee on Civil Jurisprudence.

The substitute motion was adopted.

House Bill No. 8—Conference Committee on.

The Chair here announced the appointment of Senators Wood, Strong, Berkeley, Triplett and Reid as the Conference Committee on H. B. No. 8.

Simple Resolution No. 67.

By Senator Pollard:

Resolved, by the Senate, That the porters who have been paid a per diem of two dollars be allowed three dollars per diem for the last thirty days of the Regular Session of the Thirty-ninth Legislature.

Floyd, Holbrook, Moore of Cooke, Moore of Hunt, Real, Ward, Hardin, Parr, Triplett, Fairchild, Wirtz, Witt, Reid, Russek, Smith, Pollard, Berkeley, Davis.

The resolution was read and adopted, by the following vote:

Yeas—20.

Berkeley.	Parnell.
Davis.	Parr.
Fairchild.	Pollard.
Floyd.	Price.
Hardin of Kaufman	Real.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	

Nays—6.

Bledsoe.	Strong.
Lewis.	Wood.
Reid.	Woodward.

Present—Not Voting.

Bowers.	Smith.
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Absent.

Hardin of Erath.	Russek.
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Absent—Excused.

Bailey.	Stuart.
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Senate Bill No. 359.

Senator Murphy moved to reconsider the vote by which S. B. No. 359 was finally passed on yesterday.

The motion was adopted, by the following vote:

Yeas—15.

Bledsoe.	Price.
Fairchild.	Russek.
Floyd.	Strong.
Lewis.	Triplett.
Moore of Cooke.	Wirtz.
Murphy.	Wood.
Parr.	Woodward.
Pollard.	

Nays—10.

Berkeley.	Moore of Hunt.
Davis.	Parnell.
Hardin of Kaufman	Real.
Holbrook.	Ward.
Miller.	Witt.

Absent.

Bowers.	Reid.
Hardin of Erath.	Smith.

Absent—Excused.

Bailey.	Stuart.
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Simple Resolution No. 68.

By Senator Woodward:

Resolved, That Joe Erwin, Special Messenger to Hon. Barry Miller, Lieutenant Governor, be and he is hereby retained for five days after the adjournment of the Regular Session of the Thirty-ninth Legislature, in order to assist the Private Secretary of the Lieutenant Governor in transacting such matters as may be necessary to complete the duties assigned, and his salary be the same per day as now is being paid him.

The resolution was read and adopted.

Senate Joint Resolution No. 22.

Whereas, the Thirty-eighth Legislature, at its Second Called Session, passed an Act creating a State Park Board, and authorized said board to solicit donations to the State of tracts of land, large or small, to be used by the State for the purpose of

public parks, and authorized said board to accept in behalf of the State the title to any such tract or tracts of land, subject to the approval of the Legislature; and,

Whereas, said State Parks Board has accepted title to fifty-one (51) separate tracts of land, situated in various portions of the State, which have been conveyed to the State.

Therefor, Be it Resolved by the Legislature of the State of Texas, That the action of said State Parks Board be approved.

Be it further resolved, that said State Parks Board be authorized to have the management and control of said tracts of land and to cooperate with the citizens of the various communities in which said lands are situated. Said State Parks Board is directed to make annual reports to the State Board of Control.

Berkeley, Stuart, Real, and Moore of Hunt.

The resolution was read and referred to Committee on State Affairs.

Simple Resolution No. 69.

Whereas, Colonel W. S. Simpkins, honored and beloved by the ex-students of the University of Texas and the citizens of Texas, is in the Senate Chamber,

Be it Resolved, That Colonel Simpkins be extended the privilege of the Senate, and be invited to address the Senate.

WIRTZ,
WITT,
MURPHY.

The resolution was read and adopted.

The Chair appointed Senators Wirtz, Witt and Murphy to escort Colonel Simpkins to the President's stand, who, after being presented to the Senate by Senator Wirtz, addressed the Senate.

Simple Resolution No. 70.

Be it Resolved by the Senate, That the Ex-volunteer Firemen's Association of Austin be allowed the use of the Senate Chamber, on San Jacinto day, April 21st, for a patriotic address to be delivered by the Ex-Chief Justice of the Supreme Court, Hon. Nelson Phillips.

WOOD,
PARR.

The resolution was read and adopted.

62—Senate

'House Bill No. 282.

The Chair laid before the Senate, on third reading,

H. B. No. 282, A bill to be entitled "An Act creating the offices of county weighers in all counties in Texas having a population of not less than 55,700 and not more than 55,800 according to the United States census for 1920; and prescribing the qualifications for such office and the power and duties thereof."

The bill was read third time and passed finally.

Senate Bill No. 223.

The Chair laid before the Senate, on third reading,

S. B. No. 223, A bill to be entitled "An Act repealing Chapter 14 of the Laws of the State of Texas passed by the Thirty-sixth Legislature at its Third Called Session, and declaring an emergency."

The bill was read third time, and Senator Moore of Cooke moved that the bill be laid on the table subject to call, and Senator Woodward moved to table the motion to lay the bill on the table subject to call, which motion to table was lost.

The motion to lay the bill on the table subject to call was adopted.

Senate Bill No. 445.

The Chair laid before the Senate, on third reading,

S. B. No. 445, A bill to be entitled "An Act creating and incorporating the Bullard Independent School District, lying in the counties of Smith and Cherokee in the State of Texas; defining the boundaries thereof; providing for a board of trustees thereof; placing said independent school district under the control of the General Laws governing independent districts; providing that no outstanding indebtedness of the Bullard Independent District be invalidated; providing for the annexation of territory, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Hardin of Kaufman
Bledsoe.	Holbrook.
Bowers.	Lewis.
Davis.	Miller.
Fairchild.	Moore of Hunt.
Floyd.	Moore of Cooke.
Hardin of Erath.	Murphy.

Parnell.	Strong.
Parr.	Triplett.
Pollard.	Ward.
Price.	Wirtz.
Real.	Witt.
Reid.	Wood.
Russek.	Woodward.
Smith.	

Absent—Excused.

Bailey.

Stuart.

Senate Bill No. 434.

The Chair laid before the Senate, on third reading,

S. B. No. 434. A bill to be entitled "An Act to aid in protection of the property and lives of citizens in a part of Brazoria County from further disastrous and calamitous overflows and conserving and increasing the harbor facilities at the mouth of the Brazos River in Brazoria County, Texas, and to prevent the repeated shoaling of the waters on the bar of the harbor at the mouth of said river caused by deposit of silt from the flooding waters of the Brazos River in the channel of said river and in the Gulf of Mexico, and for the purpose of assisting in the preventing of future overflowing of said river, by granting and donating the said portion of Brazoria County for a term of twenty-five years or so much thereof as may be necessary, a portion of the State ad valorem tax levied and collected on property subject to taxation in such portion of Brazoria County, to be used in making part payment of the interest and sinking fund of bonds to be used by said county, to provide for the construction of the necessary breakwaters, levees, dykes, floodways and diversions, and providing for the diversion of the channel of said Brazos River near its mouth, and providing for the administration of this Act."

The bill was read third time and passed finally, by the following vote:

Yeas—21.

Berkeley.	Price.
Bledsoe.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Nays—2.

Hardin of KaufmanLewis.

Absent.

Bowers.	Pollard.
Davis.	Strong.
Parnell.	Wirtz.

Absent—Excused.

Bailey.

Stuart.

Senate Bill No. 423.

The Chair laid before the Senate, on third reading,

S. B. No. 423. A bill to be entitled "An Act to amend Article 3903 of the Revised Civil Statutes of the State of Texas, for 1911, as amended by the Thirty-third Legislature at its Regular Session, Chapter 121 and Chapter 142 of the General Laws, as amended by Chapter 55 of the General Laws of the Regular Session of the Thirty-fifth Legislature, and as amended by Chapter 32 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, as amended by Chapter 96 of the General Laws of the Regular Session of the Thirty-seventh Legislature, authorizing county attorneys and district attorneys in counties having a population in excess of one hundred thousand inhabitants, where there is also a district attorney, to appoint deputies, or assistants, by adding Section 3903a, providing that counties composing one judicial district, and the population being between thirty-seven thousand five hundred, and one hundred thousand, and the county attorney performs the duties of county attorney and the district attorney."

The bill was read, and Senator Ward offered the following amendments, which were adopted by the necessary two-thirds vote:

Amend S. B. No. 423, by adding a new section numbered Section 2, reading as follows:

The fact that there is now no law authorizing the commissioners' court of counties having only the population between 37,500 and 100,000 and the county attorney of such counties is without proper and adequate and proper assistants to perform the duties of the office of county attorney, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days, and it is hereby suspended, and

this Act shall take effect and be in force from and after its passage, and it is so enacted.

Amend the caption of S. B. No. 423, by adding after the word attorney in last line of the caption, the following: "And declaring an emergency."

The bill was passed finally, by the following vote:

Yeas—24.

Berkeley.	Murphy.
Bledsoe.	Parr.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wood.
Moore of Cooke.	Woodward.

Absent.

Holbrook.	Wirtz.
Parnell.	Witt.
Pollard.	

Absent—Excused.

Bailey.	Stuart.
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Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 365, A bill to be entitled "An Act extending the boundaries of the Markham Independent School District, etc."

S. B. No. 366, A bill to be entitled "An Act extending the boundaries of the Blessing Independent School District, etc."

S. B. No. 370, A bill to be entitled "An Act to create a commission in aid of the Court of Criminal Appeals of Texas, regulating their powers and duties, appointment, duration of service, compensation, and providing for a stenographer, and making an appropriation therefor, and declaring an emergency."

S. B. No. 371, A bill to be entitled "An Act creating a special road law for Cottle County, Texas, and declaring an emergency."

S. B. No. 377, A bill to be entitled "An Act creating the Willamar Inde-

pendent School District in Willacy County, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of five persons; and providing for the election and qualification of said trustees; providing for the assumption by said district of the outstanding bonded indebtedness; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

S. B. No. 378, A bill to be entitled "An Act creating the Lasara Independent School District in Willacy County, Texas, etc."

H. B. No. 563, A bill to be entitled "An Act creating and incorporating the Runningwater Independent School District of Hale County, Texas, for free school purposes only; defining its boundaries; vesting it with all the rights, powers, duties and privileges of independent school districts under the General Laws of Texas pertaining thereto; providing a board of trustees, raising of revenue by taxation, issuing bonds and maintaining public free schools therein; vesting all lands, buildings and all other property now owned and held for free school purposes by Runningwater Common School District in the Runningwater Independent School District, etc."

H. B. No. 619, A bill to be entitled "An Act creating and incorporating Robertson Independent School District in Crosby, County, Texas."

S. B. No. 228, A bill to be entitled "An Act authorizing any city, town or village incorporated under the General Laws of the State of Texas, and having a population of not more than 2,500 inhabitants, according to the United States census of 1920, etc."

S. B. No. 244, A bill to be entitled "An Act conferring upon the Board of Directors of the Agricultural and Mechanical College of Texas the right of eminent domain, and declaring an emergency."

S. B. No. 252, A bill to be entitled "An Act granting to every person

against whom any judgment of conviction has heretofore been rendered by the Senate of the State of Texas in any impeachment proceedings, a full and unconditional release of any and all acts and offenses of which any such person was so convicted under and by virtue of any such judgment, and to cancel and remit any and all punishment fixed or assessed by any such judgment of said Senate, including that of disqualification to hold any office of honor, trust or profit under the State of Texas, and declaring an emergency."

S. B. No. 283, A bill to be entitled "An Act to increase and provide for the salary of the superintendent of public instruction of Limestone County, Texas; providing for office expenses, traveling expenses; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 314, A bill to be entitled An Act to amend Sections 1, 2, 3, 4 and 5, of Chapter 41, General Laws, passed at the Regular Session of the Thirty-seventh Legislature, so as to more clearly provide for the creation of the road districts therein authorized, and for the consolidation of road districts, and for the exclusion from said districts, if desired, of territory covered by other districts created under Section 52, Article 3, of the Constitution; providing a method of procedure in the creation of such districts, and validating districts heretofore created under the Act hereby amended and all bonds voted by such districts, and declaring an emergency."

S. B. No. 341, A bill to be entitled "An Act amending Chapter 8 of the Local and Special Laws of the Third Called Session of the Thirty-eighth Legislature of the State of Texas, creating the Woodson Independent School District in Throckmorton and Stephens Counties, Texas, so as to reduce the territory included in and redefine the boundaries of said Woodson Independent School District; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees continue in office until the expiration

of their respective terms; providing that the outstanding bonded indebtedness of all school districts or parts thereof included within the bounds of said district shall remain chargeable against the territory which voted the same, and providing that the district as herein created may assume such outstanding bonded indebtedness; prohibiting the district as herein established from selling any of the bonds voted by the Woodson Independent School District as created by said Chapter 8 of the Local and Special Laws of the Third Called Session of the Thirty-eighth Legislature of the State of Texas; providing for the repeal of all laws in conflict herewith, and declaring an emergency."

S. B. No. 384, A bill to be entitled "An Act creating the Mumford Independent School District of Robertson County, Texas, as is included by the field notes as follows: Defining its boundaries, investing it with the rights, powers and duties and privileges of a district incorporated for school purposes under the General Law; providing for a board of trustees therefor; making provisions for taxation for school purposes in said district, and declaring an emergency."

S. B. No. 403, A bill to be entitled "An Act to amend Section 3, Chapter 81 of the Local and Special Laws enacted by the Thirty-fourth Legislature at its Regular Session in 1915, same being a special road law for Young County, by adding thereto Section 2a to permit the issuance of bonds by Young County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

S. B. No. 409, A bill to be entitled "An Act creating Snyder Independent School District in Scurry County, Texas; defining its boundaries; including the original Snyder Independent School Districts and adding territory thereto; conferring on said district and its board of trustees all of the rights, powers, privileges, and duties now conferred and imposed by the General Laws of the State upon independent school districts and the board of trustees thereof; validating and continuing in force the legal maintenance tax heretofore voted in a part of said district as herein created, until the legal voters shall increase, diminish, or abolish same; providing that the outstanding

bonds heretofore issued by the Snyder Independent School District as established under the General Laws shall not be impaired hereby nor shall the bonds of any district a part of whose territory is included herein be impaired hereby; providing that other territory may be added; providing for the collection of delinquent taxes; providing that in event any of the provisions of this Act shall be held ineffective that such action shall not invalidate the remaining portions hereof; providing that this Act shall be cumulative of the General Laws governing the creation and operation of independent school districts, and declaring an emergency."

Respectfully submitted,
C. L. PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 359.

The Chair laid before the Senate, on third reading,

S. B. No. 359, A bill to be entitled "An Act amending Articles 3 and 7 of Chapter 155, General Laws, Acts of the Regular Session of the Thirty-sixth Legislature so as to give the Railroad Commission of Texas authority to make and enforce rules and regulations for the conservation of oil and gas resources of the State of Texas, and to regulate the drilling, location and spacing of oil and gas wells, providing methods and jurisdiction for the enforcement thereof, prescribing penalties, and declaring an emergency."

On motion of Senator Murphy the bill was laid on the table subject to call.

House Bill No. 595.

The Chair laid before the Senate, on second reading,

H. B. No. 595, A bill to be entitled "An Act to create the Shelbyville Independent School District of Shelby County, Texas."

The bill was read second time, and Senator Strong offered the following amendments, which were read and adopted:

Amend H. B. No. 595, Section 3, by adding after the words "school district," on the last line thereof, the words "insofar as they do not conflict with this Act, but all such laws in conflict herewith are hereby repealed insofar as such conflict exists."

The bill was read second time and passed to a third reading.

On motion of Senator Strong, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 595 put on its third reading and final passage, by the following vote:

Yeas—29.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Absent—Excused.

Bailey. Stuart.

H. B. No. 595 was read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Absent—Excused.

Bailey. Stuart.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed to following bills:

S. B. No. 414, A bill to be entitled "An Act creating the Ben Franklin Independent School District in Delta County, Texas."

S. B. No. 416, A bill to be entitled "An Act creating the Ben Franklin Independent School District in Delta

County, Texas; confining its boundaries; providing for a board of trustees for said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof, including petition to extend its boundaries; providing that all bonds heretofore voted in said district shall remain in full force and effect against said district which voted the same; providing for the assumption of said bonds by said district; providing for payment of its proportion of the bonded indebtedness of any common school district which the land herein described is a part; providing for appointment of tax collector and assessor and a board of equalization; providing for a depository, and declaring an emergency."

S. B. No. 418, A bill to be entitled "An Act to amend Section 1, of Chapter 49 of the Local and Special Laws enacted by the Thirty-sixth Legislature at its Regular Session in 1919, same being a special road law for Grimes County, by repealing said Section 1 and substituting therefor the following, to permit the issuance of bonds by Grimes County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

S. B. No. 420, A bill to be entitled "An Act to create the Willis Independent School District in Montgomery County, Texas, defining its boundaries; providing for the election of trustees; providing for the retention in office of the present board of trustees of the Willis Independent School District; providing for the abolition of all other boards of trustees of any school district included within the district hereby created; providing for the raising of revenue, issuing bonds and maintaining public free schools; providing for the means of transportation of the school children in said district; validating all issues of bonds heretofore voted and made; declaring valid and continuing in force all maintenance taxes heretofore voted and levied; providing for an election to determine (1) whether the entire district herein created as a whole shall assume all outstanding bonded indebtedness, and (2) whether all property within the Willis Independent School District as created by this

Act shall be subject to all special school taxes heretofore voted and levied by the Willis Independent School District; repealing all laws in conflict with this Act, and declaring an emergency."

S. B. No. 421, A bill to be entitled "An Act to amend Section 7, Chapter 87, H. B. No. 428, Special Act of the Thirty-fourth Legislature approved and made a law on March 23, 1915, incorporating Comanche Independent School District in Comanche County, Texas, so that it shall be the duty of the board of trustees of said district to order an election to determine whether there shall be levied, assessed and collected upon all taxable property within said district a tax not to exceed the rate of one dollar and fifty cents on the one hundred dollar valuation of such property in such district for the purpose of supplementing State school funds apportioned to said district, in lieu of the tax rate of fifty cents, for said purpose, on the one hundred dollar valuation as provided in Section 7 of said Act, and declaring an emergency."

S. B. No. 425, A bill to be entitled "An Act creating and establishing Sweeny Independent School District in Brazoria County, Texas, defining and describing it by metes and bounds, providing for election of trustees thereof, providing for it to assume the outstanding indebtedness of Sweeny Independent School District as heretofore created, vesting in it the title to all school property situated therein, providing for the government therein, providing for the government thereof as under the General Laws applicable to towns and villages incorporated for free school purposes only, providing for the extension of boundaries thereof, validating outstanding schoolhouse bonds and tax levees and assessments, and declaring an emergency."

S. B. No. 426, A bill to be entitled "An Act to create a more efficient road system for Travis County, Texas, and making the county commissioners of said county, road commissioners, and prescribing their duties as such, and providing for their compensation as county commissioners, and for the performance of all their duties and annual salary payable monthly; providing for the holding of a monthly regular session of said court, and fixing and requiring each county commissioner to enter into bond in the sum of (\$3,000.00) three

thousand dollars, making it the duty of the county commissioners' court to first put in repair all roads heretofore constructed, graded, graveled and macadamized before proceeding to build new roads, to sectionate all graveled, macadamized and graded roads when placed in good condition, with authority to appoint, or contract, for a road keeper for each of such sections of road, to keep the same in good repair, and further defining the duties of road keeper; providing for the right of the county to occupy any lands for the purpose of opening, widening, straightening, macadamizing or building and constructing any road, or any part of road and for the purchase of gravel pits, stone deposits or other road building and keeping in repair any roads or part of roads, if the owner of such land and the county cannot agree upon the damage or price to be paid as fair compensation for the same to condemn the same as required and provided for condemnation proceedings by railway companies for right of way, designating manner of expending road and bridge fund in various sections of the county, right to purchase tools, animals, machinery for road purposes, and to employ and pay for labor, etc., right to work county convicts upon public roads, and amounts to be paid officers on their costs, and to make such necessary rules to govern the working of said convicts and to allow commutation to those for faithful service, etc., and providing for the escaped and recapture, etc."

S. B. No. 430, A bill to be entitled "An Act to amend Section 19, of Chapter 5, Local and Special Laws passed by the Thirty-third Legislature at its Regular Session, same being a special road law for San Jacinto County, Texas, by adding thereto Section 19a to permit the issuance of bonds by said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes prior to March 1, 1925, and declaring an emergency."

S. B. No. 432, A bill to be entitled "An Act creating and establishing West University Place Independent School District, in Harris County, Texas, defining and describing it by metes and bounds, providing for the election of trustees therefor, providing for the government thereof as under the General Laws in all matters not otherwise specially provided here-

in, providing for the extension of boundaries thereof, and declaring an emergency."

S. B. No. 433, A bill to be entitled "An Act validating Common School District No. 5 of Gaines County, Texas, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines County in respect to said district, and declaring an emergency."

S. B. No. 436, A bill to be entitled "An Act to amend Section 2, Chapter 40, Local and Special Laws enacted by the Regular Session of the Thirty-fourth Legislature in 1915, same being an amendment to San Saba County Special Road Law, by adding thereto Section 2a, to permit the issuance of San Saba County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

S. B. No. 441, A bill to be entitled "An Act to create the Montgomery Independent School District in Montgomery County, Texas, defining its boundaries, to provide for the election of trustees, providing for the retention in office of the present board of trustees of the Montgomery Independent School District, and providing for the abolition of all other boards of trustees of any school district included within the district hereby created, providing for the raising of revenues, issuing bonds, maintaining public free schools, providing for the means of transportation of the school children in said district, validating all issues of bonds heretofore voted and made, declaring valid and continuing in force all maintenance taxes heretofore voted and levied, providing for an election to determine (1) whether the entire district as a whole as herein created shall assume all outstanding bonded indebtedness, (2) all property within the Montgomery Independent School District as created by this Act, shall be subject to all special school taxes heretofore voted and levied by the Montgomery School District, repealing all laws in conflict with this Act, and declaring an emergency."

S. B. No. 450, A bill to be entitled "An Act creating a Special Road Law for Baylor County, Texas, and declaring an emergency."

H. B. No. 672, A bill to be entitled "Creating the Trundell Independent School District in Dallas County."

The House refuses to concur in Senate amendments to H. B. No. 76

and requests the appointment of a free conference committee to adjust the differences. The Speaker appoints the following on the part of the House: Storey, Finlay, McFarlane, Baker of Orange, Sanford.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

House Bill No. 76—Conference Committee on.

Senator Wood moved that the request of the House for a conference committee on H. B. No. 76 be granted.

The motion was adopted.

The Chair appointed the following as the committee on part of the Senate: Senators Triplett, Murphy, Moore of Hunt, Holbrook and Wood.

House Bill No. 546.

The Chair laid before the Senate, on second reading,

H. B. No. 546, A bill to be entitled "An Act to amend Section 2 of Chapter 2, Local and Special Laws passed by the Thirty-third Legislature at its Regular Session, same being a special road law for Shelby County, Texas, by adding thereto Sections 2a and 2b, to permit the issuance of bonds by said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to prohibit hereafter the issuance by the commissioners' court of said county of county warrants against the road and bridge fund payable out of the revenues of future years, and declaring an emergency."

The Committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Strong, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 546 put on its third reading and final passage, by the following vote:

Yeas—29.

Berkeley.	Holbrook.
Bledsoe.	Lewis.
Bowers.	Miller.
Davis.	Moore of Hunt.
Fairchild.	Moore of Cooke.
Floyd.	Murphy.
Hardin of Erath.	Parnell.
Hardin of Kaufman	Parr.

Pollard.	Triplett.
Price.	Ward.
Real.	Wirtz.
Reid.	Witt.
Russek.	Wood.
Smith.	Woodward.
Strong.	

Absent—Excused.

Bailey.	Stuart.
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H. B. No. 546 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Absent—Excused.

Bailey.	Stuart.
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House Bill No. 174.

The Chair laid before the Senate, on second reading,

H. B. No. 174, A bill to be entitled "An Act to acquit, quit-claim, grant and release unto Laura Weir Scott, her heirs and assigns all right, title and interest which the State of Texas now has or may hereafter have in and to the tract of 110 acres of land, more or less, part of the J. S. Irvine survey, situated in Hays and Travis Counties, Texas, described in the deed dated April 19, 1922, executed by Mrs. Montie B. Botts to the said Laura Weir Scott and of record in book No. 335, pages 363 to 365 of the deed records of Travis County, Texas, which right, title and interest the State of Texas has or may have by virtue of the following provision contained in said deed, to wit; during the lifetime of the said Frank D. Scott, the said Laura Weir Scott shall not have any right nor power to sell, mortgage or encumber in any way the land hereby conveyed to her and if she, at any time, undertakes to so do, either directly or indirectly, then immediately and automatically all interest therein in her favor will ab-

solutely terminate and end, and from that date or occurrence forward she will have no further interest in said property of any kind or character, but, in any such event or events, the title thereto will vest in fee simple together and equally in any lawful issue of her body then living and in the absence of any such living issue same will revert and become the property of the State of Texas."

The bill was read second time and passed to engrossment.

House Bill No. 576.

Senator Fairchild moved to take up, out of its order, H. B. No. 576, which motion was adopted, by the following vote:

Yeas—24.

Berkeley.	Murphy.
Bledsoe.	Parnell.
Bowers.	Parr.
Davis.	Pollard.
Fairchild.	Real.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Triplett.
Lewis.	Wirtz.
Miller.	Wood.
Moore of Hunt.	Woodward.

Nays—2.

Moore of Cooke. Reid.

Absent.

Price. Witt.
Ward.

Absent—Excused.

Bailey. Stuart.

The Chair laid before the Senate, on second reading,

H. B. No. 576, A bill to be entitled "An Act to amend Article 7235 of the Revised Civil Statutes of 1911, as amended from time to time, and amended by Chapter 97, of the General Laws of the Regular Session of the Thirty-eighth Legislature, so as to include San Augustine and Sabine Counties within the provisions of said article, which relates to stock law elections, and declaring an emergency."

The Committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Fairchild, the constitutional rule requiring bills

to be read on three several days was suspended and H. B. No. 576 put on its third reading and final passage, by the following vote:

Yeas—28.

Berkeley.	Parnell.
Bledsoe.	Parr.
Bowers.	Pollard.
Davis.	Price.
Fairchild.	Real.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.

Nays—1.

Reid.

Absent—Excused.

Bailey. Stuart.

H. B. No. 576 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Absent—Excused.

Bailey. Stuart.

Senate Bill No. 457.

(By Unanimous Consent.)

On motion of Senator Russek, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 457 put on its second reading, by the following vote:

Yeas—29.

Berkeley.	Davis.
Bledsoe.	Fairchild.
Bowers.	Floyd.

Hardin of Erath.	Real.
Hardin of Kaufman.	Reid.
Holbrook.	Russek.
Lewis.	Smith.
Miller.	Strong.
Moore of Hunt.	Triplett.
Moore of Cooke.	Ward.
Murphy.	Wirtz.
Parnell.	Witt.
Parr.	Wood.
Pollard.	Woodward.
Price.	

Absent—Excused.

Bailey. Stuart.

The Senate rule, requiring committee reports to lay over for one day was suspended.

The Chair laid before the Senate, on second reading,

S. B. No. 457, A bill to be entitled "An Act making an appropriation to the Department of Banking for the enforcement of the banking laws of the State."

The Committee report, providing that the bill be not printed, was adopted.

On motion of Senator Russek, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 457 put on its third reading and final passage, by the following vote:

Yeas—28.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	Woodward.

Nays—1.

Murphy.

Absent—Excused.

Bailey. Stuart.

S. B. No. 457 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—24.

Berkeley.	Bowers.
Bledsoe.	Davis.

Fairchild.	Pollard.
Floyd.	Price.
Hardin of Erath.	Real.
Holbrook.	Reid.
Lewis.	Russek.
Miller.	Smith.
Moore of Hunt.	Strong.
Moore of Cooke.	Triplett.
Parnell.	Wood.
Parr.	Woodward.

Nays—2.

Murphy. Wirtz.

Absent.

Hardin of Kaufman. Witt.
Ward.

Absent—Excused.

Bailey. Stuart.

Recess.

On motion of Senator Wood the Senate, at 12:05 o'clock p. m., recessed until 3:30 o'clock today.

After Recess.

The Senate was called to order by Lieutenant Governor Miller.

Senate Bill No. 453.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 453, A bill to be entitled "An Act to amend Section 14 of an Act of the Thirty-ninth Legislature approved March 10, 1925, relating to the sale of oil and gas leases on University lands and extension of oil and gas permits heretofore and hereafter issued by providing the conditions upon which said permits may be extended, and declaring an emergency."

The Senate rule, requiring committee reports to lay over for one day, was suspended.

The bill was read second time and passed to engrossment.

On motion of Senator Parnell, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 453 put on its third reading, and final passage, by the following vote:

Yeas—21.

Berkeley.	Holbrook.
Floyd.	Lewis.
Hardin of Erath.	Miller.
Hardin of Kaufman.	Moore of Hunt.

Moore of Cooke.	Reid.
Murphy.	Triplett.
Parnell.	Ward.
Parr.	Wirtz.
Pollard.	Witt.
Price.	Woodward.
Real.	

Absent.

Bledsoe.	Russek.
Bowers.	Smith.
Davis.	Strong.
Fairchild.	Wood.

Absent—Excused.

Bailey.	Stuart.
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S. B. No. 453 was laid before the Senate, read third time, and passed finally, by the following vote:

Yeas—22.

Berkeley.	Parr.
Fairchild.	Pollard.
Floyd.	Price.
Hardin of Erath.	Real.
Hardin of Kaufman.	Reid.
Holbrook.	Smith.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Parnell.	Woodward.

Absent.

Bledsoe.	Russek.
Bowers.	Strong.
Davis.	Wood.
Murphy.	

Absent—Excused.

Bailey.	Stuart.
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Simple Resolution No. 71.

By Senator Holbrook:

Whereas, Senate Bill No. 302 passed the Senate by a bare majority, with an amendment, the effect of which would move the place of holding sessions of the Court of Civil Appeals for the First Supreme Judicial District from Galveston, where they have been held since the court was organized, to Houston; and,

Whereas, several Senators were not aware that the bill carried such an amendment at the time it finally passed; and,

Whereas, such a change is not desired by a great majority of the people of the First Supreme Judicial District, and especially would be of great regret to the people of Galves-

ton, who have provided for and cherished it all these years; now, therefore,

Be it Resolved by the Senate of Texas, That the House be requested to return said bill for further consideration, to the end that the said amendment may be stricken out, if found desirable.

HOLBROOK.

The resolution was read, and Senator Pollard moved to table the resolution, which motion to table was lost, by the following vote:

Yeas—9.

Hardin of Erath.	Price.
Moore of Hunt.	Reid.
Murphy.	Wirtz.
Parr.	Witt.
Pollard.	

Nays—13.

Berkeley.	Parnell.
Fairchild.	Real.
Floyd.	Smith.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Lewis.	Woodward.
Miller.	

Absent.

Bledsoe.	Russek.
Bowers.	Strong.
Davis.	Wood.
Moore of Cooke.	

Absent—Excused.

Bailey.	Stuart.
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Senator Pollard moved a call of the Senate for the purpose of voting on this bill. The call was duly seconded, but was not ordered.

Pending discussion on the resolution Senator Murphy made a point of order, citing rule 52, relating to reconsider and recall of measures after the matter had passed from the Senate.

The Chair held that the resolution was merely recalling a bill from the House and not reconsidering the passage of the bill.

Action recurred on the resolution and the same failed to pass, by the following vote:

Yeas—7.

Fairchild.	Triplett.
Hardin of Kaufman.	Ward.
Holbrook.	Woodward.
Russek.	

Nays—12.

Berkeley.	Murphy.
Floyd.	Parr.
Hardin of Erath.	Price.
Lewis.	Reid.
Miller.	Wirtz.
Moore of Hunt.	Witt.

Absent.

Bowers.	Smith.
Moore of Cooke.	Wood.

Absent—Excused.

Bailey.	Stuart.
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(Pairs Recorded.)

Senator Parnell (present), who would vote yea; with Senator Bledsoe (absent), who would vote nay.

Senator Pollard (present), who would vote nay; with Senator Strong (absent), who would vote yea.

Senator Real (present), who would vote yea; with Senator Davis (absent), who would vote nay.

Senate Bill No. 144.

The Chair laid before the Senate, S. B. No. 144, and was laid on the table, subject to call, a House bill of the same subject having already been passed.

Senate Bill No. 281.

The Chair laid before the Senate on second reading,

S. B. No. 281, A bill to be entitled "An Act to amend Section 30, Chapter 33, of the Acts of the First Called Session of the Thirty-third Legislature of the State of Texas, relating to the incorporation and regulation of building and loan associations, so as to prescribe the amount of fees that shall be paid into the State Treasury by foreign building and loan associations, requiring such associations to make reports, and declaring an emergency."

The bill was read second time and failed to pass to engrossment, by the following vote:

Yeas—8.

Berkeley.	Parnell.
Fairchild.	Parr.
Lewis.	Triplett.
Miller.	Ward.

Nays—15.

Floyd.	Hardin of Kaufman
Hardin of Erath.	Holbrook.

Moore of Hunt.	Smith.
Moore of Cooke.	Wirtz.
Pollard.	Witt.
Price.	Wood.
Reid.	Woodward.
Russek.	

Absent.

Bledsoe.	
Bowers.	Murphy.
Davis.	Real.
Bailey.	Strong.

Absent—Excused.

Stuart.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following concurrent resolutions and bills:

The House has adopted the report of the Free Conference Committee on S. B. No. 183.

H. C. R. No. 47, relating to error in the Free Conference Report to H. B. No. 101.

H. C. R. No. 48, relating to the death of the Hon. W. P. McLean, Sr.

S. C. R. No. 36, relating to the refusal of a permit, by the Interstate Commerce Commission, to the Waco, Beaumont, Trinity and Sabine Railway.

H. B. No. 321, A bill to be entitled "An Act providing for the protection of rainbow trout in the fresh waters of Texas; providing for a two-year closed season, and a closed season during certain months thereafter; prescribing a legal size and a daily bag limit, prohibiting the sale and barter of rainbow trout; prescribing a penalty, and declaring an emergency."

H. B. No. 600, A bill to be entitled "An Act to amend Article 3903 of the Revised Civil Statutes of the State of Texas, for 1911, as amended by the Thirty-third Legislature at its Regular Session, Chapter 121, and Chapter 142, of the General Laws, as amended by Chapter 32 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, as amended by Chapter 96, of the General Laws of the Regular Session of the Thirty-seventh Legislature, authorizing county attorneys and district attorneys in counties having a population in excess

of one hundred thousand inhabitants, where there is also a district attorney, to appoint deputies, or assistants, by adding Section 3903a, providing that counties composing one judicial district, and the population being between thirty-seven thousand five hundred and one hundred thousand, and the county attorney, performs the duties of county attorney and district attorney."

H. B. No. 642, A bill to be entitled "An Act to validate the incorporation of the city of Littlefield, as adopted by the qualified voters of said city at an election held on the ninth day of August, 1924, under the provisions of Chapter 15, Title 22, Revised Civil Statutes of 1911, as amended by Chapter 21, Acts of 1913, Regular Session, as amended by Chapter 60, Acts of 1921, Regular Session."

H. B. No. 665, A bill to be entitled "An Act to create Giles Independent School District in Donley County, Texas, including therein Giles Common School District No. 4 of the said county."

S. B. No. 79, A bill to be entitled "An Act to amend Article 1152 of the Penal Code of the State of Texas, 1911, relating to the punishment of the offense of libel, by providing that the punishment shall be imprisonment in the State Penitentiary for a period of time not less than two years nor more than four years."

Failed to pass.

S. B. No. 189, A bill to be entitled "An Act reorganizing the State of Texas into Supreme Judicial Districts for the purpose of constituting and organizing Courts of Civil Appeals therein; creating the Eleventh Judicial District of Texas, with Eastland as the site of said court; providing for the appointment and qualification of the judges of said Eleventh Supreme Judicial District, and other officers thereof; providing for the transfer of cases and regulating appeals from the lower courts of the counties constituting said Eleventh Supreme Judicial District of Texas, and declaring and emergency."

With amendments.

S. B. No. 74, A bill to be entitled "An Act to provide for the construction and maintenance of a State Highway System under the direct control of the State Highway Department and with appropriations out of the State Highway Fund; authorizing the commissioners' court of any county to grant aid for the improve-

ment by the State Highway Department of any section or sections of said highway system located in said county; regulating the manner of paying such aid; regulating the making of contracts by the State Highway Department for the improvement of said highway system; authorizing the condemnation of materials to be used in the improvement of a State highway and of land for rights-of-way; declaring the invalidity of any provision of this Act shall not affect the validity of any other provision; repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

S. B. No. 379, A bill to be entitled "An Act amending Acts of the Thirty-eighth Legislature, Second Called Session, Chapter 6, and providing that where the State of Texas, through the Game, Fish and Oyster Commissioner, has issued a permit to excavate and take from any island, reef, bar, lake, river, creek, bayou or bay of this State, marl, mud shell, oyster shell, sand and gravel, the State, at the request of the permit holder, shall have the right and power to condemn land for the purpose of erecting dredges and necessary equipments, railroad spurs, and of opening roads, etc."

Respectfully submitted,
C. L. PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 189.

Senator Hardin of Erath called up S. B. No. 189 and moved that the Senate do not concur in the House amendments and ask for the appointment of a Free Conference Committee.

The motion was adopted.

The Chair appointed the following as the committee on part of the Senate: Senators Hardin of Erath, Floyd, Parnell, Woodward, and Miller.

Senate Bill No. 246.

The Chair laid before the Senate, on second reading,

S. B. No. 246, A bill to be entitled "An Act amending Chapter 179 of the General Laws of the Regular Session of the Thirty-third Legislature, as amended by Chapter 103 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 115 of the General Laws of the Regular Session of the Thirty-seventh Legis-

lature, as amended by Chapter 177 of the General Laws of the Regular Session of the Thirty-eighth Legislature, relating to Workmen's Compensation, Employers' Liability, and authorizing any employer of labor in this State who may, under the said Act or Acts, insure his liability to pay the compensation provided by law, to carry his own insurance by depositing with the State Treasurer, money, bonds and other securities, or indemnity bond in an amount to be fixed by the Commissioner of Insurance of the State of Texas, based upon the probable loss of such employer actuarially ascertained, providing that such securities may be substituted from time to time, as occasion may require, exempting from taxation such money, bonds or other securities in the City of Austin and Travis County, requiring reports of employers, and declaring an emergency."

The bill was read second time, and there being a favorable minority committee report and an adverse majority committee report, Senator Moore of Cooke moved to adopt the minority committee report.

Senator Parnell moved, as a substitute, to adopt the majority committee report.

The substitute motion was adopted, by the following vote:

Yeas—13.

Hardin of Erath.	Smith.
Hardin of Kaufman	Ward.
Miller.	Wirtz.
Parnell.	Witt.
Parr.	Wood.
Pollard.	Woodward.
Reid.	

Nays—7.

Bailey.	Price.
Berkeley.	Real.
Lewis.	Triplett.
Moore of Cooke.	

Present—Not Voting.

Floyd.	Holbrook.
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Absent.

Bledsoe.	Moore of Hunt.
Bowers.	Murphy.
Davis.	Russek.
Fairchild.	Strong.

Absent.

Stuart.

H. C. R. No. 8.

The Chair laid before the Senate, H. C. R. No. 48, relating to the death of Hon. W. P. McLean, Sr., of Fort Worth, Texas.

The resolution was read and adopted unanimously, by a rising vote.

House Concurrent Resolution No. 47.

The Chair laid before the Senate H. C. R. No. 47, relating to correction of H. B. No. 101.

The resolution was read, and on motion of Senator Wirtz, was laid on the table subject to call.

Senate Bill No. 74.

Senator Price called up S. B. No. 74 and moved that the Senate concur in the House amendments.

The motion was adopted.

Senate Bill No. 387.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 387, A bill to be entitled "An Act to amend Articles 6655, 6657 and 6658, Chapter 15, Title 115, Revised Statutes of Texas, providing that employes designated may hear the evidence adduced at a hearing upon the establishment of rates under said Chapter of Title 115, and for such purpose shall have the power to administer oaths to the witnesses, compel their attendance, and the production of papers, waybills, books, accounts, documents and testimony; that in the event such hearing is had before such employee he shall, if requested by the Commission, transmit with a stenographic report of the evidence his findings and recommendations, which may be approved or disapproved by the commission at its discretion, and an order entered by the commission in accordance with its own determination of the issues involved so as to provide that when a railroad company or other party at interest files a suit against the Railroad Commission of Texas by reason of its decision of a rate, classification, rule, charge, order, act or regulation, the court before whom said cause shall be pending shall not issue a writ of injunction temporarily restraining the enforcement of said rate, classification, rule, charge, order, act or regulation except after notice to the

commission and opportunity for hearing on the application for said temporary injunction; providing that in the trial of such cause the findings and order of the commission shall be prima facie evidence of the facts therein stated, and declaring an emergency."

The bill was read second time, and Senator Wirtz offered the following amendment, in nature of a substitute for the bill, which was read and adopted:

Amend S. B. No. 387 by striking out all below the enacting clause and substituting the following:

Art. 6657 of the Revised Civil Statutes of 1911 be, and the same is hereby amended so that it shall hereafter read as follows:

Art. 6657. If any railroad company or other party at interest be dissatisfied with the decision of any rate, classification, rule, charge, order, act or regulation adopted by the commission, such dissatisfied company or party may file a petition setting forth the particular cause or causes of objection to such decision, act, rate, rule, charge, classification, order, or to either or all of them, in a court of competent jurisdiction in Travis County, Texas, against said commission as defendant. Said action shall have precedence over all other causes on the docket of a different nature, and shall be tried and determined as other civil causes in said court. Either party to said action may appeal to the Appellate Court having jurisdiction of said cause; and said appeal shall be at once returnable to said Appellate Court at either of its terms; and said action so appealed shall have precedence in said Appellate Court of all causes of a different character therein pending; provided, that, if the court be in session at the time such right of action accrues, the suit may be filed during such term and stand ready for trial after ten days' notice. Provided further that no preliminary injunction shall be issued without notice to the opposite party and that no temporary restraining order shall be granted without notice to the opposite party unless it shall clearly appear from specific facts shown by affidavit or by the verified petition that immediate and irreparable injury, loss, or damage will result to the applicant before notice can be served and a hearing had thereon. Every such temporary restraining order shall be

endorsed with the date and hour of issuance, shall be forthwith filed in the clerk's office and entered of record, shall define the injury and state why it is irreparable and why the order was granted without notice, and shall by its terms expire within such time after entry, not to exceed ten days, as the court or judge may fix, unless within the time so fixed the order is extended for a like period for good cause shown, and the reasons for such extension shall be entered of record. In case a temporary restraining order shall be granted without notice in the contingency specified, the matter of the issuance of a preliminary injunction shall be set down for a hearing at the earliest possible time and shall take precedence of all matters except older matters of the same character; and when the same comes up for hearing the party obtaining the temporary restraining order shall proceed with the application for a preliminary injunction, and if he does not do so the court shall dissolve the temporary restraining order. Upon two days' notice to the party obtaining such temporary restraining order the opposite party may appear and move the dissolution or modification of the order, and in that event the court or judge shall proceed to hear and determine the motion as expeditiously as the ends of justice may require.

Senator Wirtz offered the following amendment, which was read and adopted:

Amend S. B. No. 387, by striking out the caption and substitute the following:

"An Act amending Article 6657, Chapter 15, Title 115 of the Revised Civil Statutes of 1911, by adding thereto a provision relating to the granting of preliminary injunctions and temporary restraining orders, and providing when the same may be granted."

The bill was read second time and pass to engrossment.

On motion of Senator Wirtz, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 387 put on its third reading and final passage, by the following vote:

Yeas—21.

Berkeley.	Holbrook.
Fairchild.	Lewis.
Floyd.	Miller.
Hardin of Kaufman.	Moore of Cooke.

Parnell.
Parr.
Pollard.
Price.
Real.
Reid.
Smith.

Triplett.
Ward.
Wirtz.
Witt.
Wood.
Woodward.

Absent.

Bailey.
Bledsoe.
Bowers.
Davis.
Hardin of Erath.

Moore of Hunt.
Murphy.
Russek.
Strong.

Absent—Excused.

Stuart.

S. B. No. 387 was laid before the Senate, read third time and passed finally.

Senate Bill No. 388.

The Chair laid before the Senate, on second reading,

S. B. No. 388, A bill to be entitled "An Act amending Article 6676, Chapter 15, Title 115, Revised Statutes, so that the provisions of said chapter shall be construed to apply to and effect the transportation of passengers and freight by gasoline or electric motor cars over steam railroads between points within this State; providing that such gasoline or electric motor car shall be deemed a train within the meaning of the requirement that at least one train be run each day, etc.; and providing that if such steam railroads shall operate a gasoline or electric motor car for transportation of passengers it shall be subject to the requirements that at least one such motor car shall be run every day, Sundays excepted, and to the requirements as to stopping for a time sufficient to receive and let off passengers at such stations as may be designated by the commissioners, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Wirtz, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 388 put on its third reading and final passage, by the following vote:

Yeas—22.

Davis.
Fairchild.
Floyd.

Hardin of Kaufman.
Holbrook.
Lewis.

Miller.
Moore of Hunt.
Moore of Cooke.
Parnell.
Parr.
Pollard.
Price.
Real.

Reid.
Smith.
Triplett.
Ward.
Wirtz.
Witt.
Wood.
Woodward.

Absent.

Bailey.
Berkeley.
Bledsoe.
Bowers.

Hardin of Erath.
Murphy.
Russek.
Strong.

Absent—Excused.

Stuart.

S. B. No. 388 was laid before the Senate, read third time, and passed finally.

Senate Bill No. 354.

The Chair laid before the Senate, on second reading,

S. B. No. 354, A bill to be entitled "An Act providing that the Attorney General shall bring suit for the recovery of public land held adversely to the State and purchasers under the State; fixing the venue; providing claimants may in certain cases file affidavit and bond for the recovery of said lands, and declaring an emergency."

The bill was read, and Senator Pollard offered the following amendment:

Amend S. B. No. 354, by inserting a period after "thereto" in line 20, page 1, and striking out all remainder of lines 20 to 26, inclusive.

The bill was read and laid on the table, subject to call.

Senate Bill No. 199.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 199, A bill to be entitled "An Act amending Article 1121 of the Revised Civil Statutes of 1911 so as to authorize the formation of private corporations with the power to design, purchase and sell building material products and furnishings and for the manufacture and sale thereof and the designing, selling, construction and erection and contracting for the construction and erection of buildings and improvements."

The bill was read second time and

passed to engrossment, by the following vote:

Yeas—12.

Floyd.	Reid.
Hardin of Kaufman.	Smith.
Parnell.	Triplett.
Parr.	Ward.
Price.	Witt.
Real.	Wood.

Nays—11.

Bailey.	Moore of Hunt.
Berkeley.	Moore of Cooke.
Fairchild.	Pollard.
Holbrook.	Wirtz.
Lewis.	Woodward.
Miller.	

Absent.

Bledsoe.	Murphy.
Bowers.	Russek.
Davis.	Strong.
Hardin of Erath.	

Absent—Excused.

Stuart.

Senate Bill No. 342.

(By Unanimous Consent)

The Chair laid before the Senate, on second reading,

S. B. No. 342, A bill to be entitled "An Act amending Section 1 of Chapter 62, of the General Laws passed at the Regular Session of the Thirty-second Legislature, so as to change the amount of money that commissioners' courts may appropriate for farmers co-operative demonstration work from \$1,000.00 per year to \$1,500.00 per year and providing that commissioners' courts may co-operate in such work with the United State Department of Agriculture and the Agricultural and Mechanical College of Texas, and declaring an emergency."

(Senator Lewis in the Chair.)

The bill was read second time, and Senator Fairchild offered the following amendment:

Amend S. B. No. 342, by substituting a comma for the period after the word "court", line 3, page 2, and add the following: "Provided that no appropriation shall be made by a county until a vote is submitted to the people on this question."

Senator Price moved to table the amendment.

63—Senate

House Bills on First Reading.

The following House bills were laid before the Senate, read, severally, first time and referred to appropriate committees:

H. B. No. 563, referred to Committee on Educational Affairs.

H. B. No. 619, referred to Committee on Educational Affairs.

H. B. No. 672, referred to Committee on Educational Affairs.

H. B. No. 321, referred to Committee on State Affairs.

H. B. No. 600, referred to Committee on State Affairs.

H. B. No. 642, referred to Committee on Towns and City Corporations.

H. B. No. 665, referred to Committee on Educational Affairs.

Bills Signed.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolution:

H. B. No. 589.

S. B. No. 192.

S. B. No. 252.

S. C. R. No. 33.

Recess.

On motion of Senator Wirtz, the Senate at 5:50 o'clock p. m. recessed until 7:30 o'clock p. m. tonight.

In Committee of the Whole.

At 7:30 o'clock p. m. the Senate was called to order by Lieutenant Governor Miller. The Senate resolved into a committee of the whole for the purpose of resuming the penitentiary investigating committee hearing.

In the Senate.

At 10 o'clock p. m. the Senate convened as a session of the Senate. Senator Wirtz, chairman of the committee of the whole, reported that the committee reported progress and had recessed until Monday night to resume the hearing.

Adjournment.

On motion of Senator Wirtz, the Senate adjourned until tomorrow morning at 10 o'clock.

APPENDIX.

Committee Reports.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 458, A bill to be entitled "An Act authorizing the Governor of Texas to make sale and execute a deed, disposing of of the south half of Block 59, situated on East Fifth Street in the City of Austin, Travis County, Texas, at such price and on such terms as may meet the approval of the Governor, Commissioner of the General Land Office and Attorney General, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

REAL, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 672, A bill to be entitled "An Act to create Irwindell Independent School District in Dallas County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 563, A bill to be entitled "An Act creating and incorporating the Runningwater Independent School District of Hale County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 619, A bill to be entitled "An Act creating and incorporating Robertson Independent School District in Crosby County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 456, A bill to be entitled "An Act amending Chapter 76 of the General Laws of the Regular Session of the Thirty-eighth Legislature so as to continue the duration and existence of the district court of Stephens County, Ninety-second Judicial District, until April 15, 1925, and providing that as to said district court of Stephens County said Chapter 76 shall continue in force and effect until said time, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

PRICE, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 543, A bill to be entitled "An Act to amend Section 14 of an Act of the Thirty-ninth Legislature, approved March 10, 1925, relating to the sale of oil and gas leases on University lands and extension of oil and gas permits heretofore and hereafter issued by providing the conditions upon which said permits may be extended, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, March 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 575, A bill to be entitled "An Act fixing the compensation of county commissioners in counties which now have or may hereafter have an area of not less than 650 square miles, nor more than 850 square miles, and a population of not less than 25,000 nor more than 30,000 according to the last United States census, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, March 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 219, A bill to be entitled "An Act to amend an Act passed at the Regular Session of the Thirty-eighth Legislature, being Chapter 171 of the General Laws, passed by the Thirty-eighth Legislature and being: 'An Act fixing in counties having a population in excess of one hundred and fifty thousand inhabitants, the compensation of district attorneys and providing for the appointment of assistant district attorneys, investigators, stenographers, deputies and other employees and providing for their salaries and the manner of their payment, and repealing all laws in conflict herewith with exception, and declaring an emergency.' By providing that one of the seven assistant district attorneys authorized by the Act to be appointed shall receive a salary not to exceed four thousand eight hundred dollars per annum, as provided in the Act amended, and two other of said assistants at salaries not to exceed three thousand six hundred dollars per annum each, instead of a salary not to exceed three thousand dollars per annum each, as is provided in the Act amended, all payable monthly by said counties, by warrant drawn from the general funds thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report

the same back to the Senate with the recommendation that it do pass, and be not printed, with the following committee amendment:

Amend H. B. No. 219, by adding a new section numbered Section, reading as follows:

In addition to the above, the district attorney shall be authorized to retain when collected, the fees earned for any year from delinquent tax suits or matters pertaining to delinquent tax collections until such collections reach the sum of four thousand (\$4,000.00) dollars, and all amounts collected from fees in delinquent tax matter in excess of said amount shall be by said district attorney paid over to the county treasurer and become the property of such county to reimburse it for expenditures hereinafter authorized to the deputies and assistants of such district attorney, and all fees in tax matters received in excess of the four thousand (\$4,000.00) dollars allowed to be retained, shall be paid to the county treasurer."

WIRTZ, Chairman.

Committee Room,

Austin, Texas, March 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 286, A bill to be entitled "An Act to require railroad companies that heretofore have constructed, or that hereafter may construct railroads through or into any town or city in this State, to construct and form a physical track connection with any other railroad that heretofore has been, or that hereafter may be constructed through or into such town or city, when ordered to do so by the Railroad Commission of the State of Texas; authorizing the Railroad Commission to order such connection and to determine the manner of such connection and the proportion of the cost thereof to be paid by each railroad company; prescribing a penalty for violation of such orders made by the Railroad Commission, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 555, A bill to be entitled "An Act to increase and fix the salary of the superintendent of public instruction of Harris County, Texas; providing for office and traveling expenses, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 523, A bill to be entitled "An Act fixing the compensation of county commissioners in counties having a population of not less than 17,000 according to the United States census of 1920, and which have an area of not less than 1060 square miles nor more than 1200 square miles, and which have assesses valuation of not less than \$10,000,000 and which do not contain a city or town of more than 7,500, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 549, A bill to be entitled "An Act exempting Travis County for a period of two years from the provisions of Chapter 12, Section 3, Acts of 1917, Third Called Session as amended by Chapter 87, Section 3, Acts 1918, Fourth Called Session and Chapter 172, Regular Session of the Thirty-eighth Legislature, and providing for an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate

with the recommendation that it do pass, and be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 143, A bill to be entitled "An Act for the protection of those dealing with trustees."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred

S. B. No. 312, A bill to be entitled "An Act amending Section 9 of Chapter 87 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, amended by Chapter 28, Second Called Session of the Thirty-sixth Legislature, amended by Chapter 11, Second Called Session of the Thirty-eighth Legislature, by limitingg the issuance of notes to four per cent of the proposed cost of improvements to be made in creating water improvement districts, and amending Section 80 of Chapter 87 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, amended by Chapter 13, Regular Session of the Thirty-seventh Legislature, by omitting the provision in the last part of said section which provides for the change in boundary lines in irrigation districts; and amending Section 118a, Chapter 87, of the Acts of the Regular Session of the Thirty-fifth Legislature, added in Chapter 28, First Called Session of the Thirty-sixth Legislature, referring to the inclusion of towns and municipal corporations in water improvement districts, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 457, A bill to be entitled "An Act making an appropriation to the Department of Banking for enforcement of the State Banking Laws, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 601, A bill to be entitled "An Act to amend Section 19, of Chapter 5 Local and Special Laws passed by the Thirty-third Legislature at its Regular Session, same being a special road law for San Jacinto County, Texas, by adding thereto Section 19a to permit the issuance of bonds by said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes prior to March 1 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed,

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 593, A bill to be entitled "An Act to amend Section 2, Chapter 40, Local and Special Laws, enacted by the Regular Session of the Thirty-fourth Legislature in 1915, same being an amendment to San Saba County Special Road Law, by adding thereto Section 2a to permit the issuance of bonds by San Saba County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

H. B. No. 580, A bill to be entitled "An Act to amend Section 2, Chapter 81 of the Local and Special Laws enacted by the Thirty-fourth Legislature at its Regular Session in 1915, same being a special road law for Young County, by adding thereto Section 2a to permit the issuance of bonds by Young County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 451 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. N. 439 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 423 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 11, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 434

carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, March 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 411 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, March 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on engrossed bills, have had S. B. No. 440 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, March 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on engrossed bills, have had S. B. No. 359 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, March 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on engrossed bills, have had S. B. No. 291 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, March 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on engrossed bills, have had S. B. No. 453 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, March 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on engrossed bills, have had S. B. No. 457 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, March 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 110 carefully examined and compared, and find same correctly enrolled, and have this day at 4:45 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 143 carefully examined and compared, and find same correctly enrolled, and have this day at 4:45 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 81 carefully examined and compared, and find same correctly enrolled, and have this day at 4:45 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 148 carefully examined and compared, and find same correctly enrolled, and have this day at 4:45 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 137 carefully examined and compared, and find same correctly enrolled, and have this day at 3:30 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 124 carefully examined and compared,

and find same correctly enrolled, and have this day at 3:30 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 12, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 16 carefully examined and compared, and find same correctly enrolled, and have this day at 3:30 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 12, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 150 carefully examined and compared, and find same correctly enrolled, and have this day at 4:45 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 12, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 92 carefully examined and compared, and find same correctly enrolled, and have this day at 4:45 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 12, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 131 carefully examined and compared, and find same correctly enrolled, and have this day at 4:45 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 12, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 180 carefully examined and compared, and find same correctly enrolled,

and have this day at 3:20 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 33 carefully examined and compared, and find same correctly enrolled, and have this day at 12:00 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 192 carefully examined and compared, and find same correctly enrolled, and have this day at 12:00 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 252 carefully examined and compared, and find same correctly enrolled, and have this day at 12:27 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 391.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

(Floor Report.)
Senate Chamber,
Austin, Texas, March 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred H. B. No. 642,

Have had the same under consid-

eration, and beg to report it back to the Senate with the recommendation that it do pass.

Ward, Vice Chairman; Real, Holbrook, Witt, Murphy, Bledsoe.

FORTY-SEVENTH DAY.

Senate Chamber,
Austin, Texas,

Saturday, March 14, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parnell.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.

Absent—Excused.

Stuart.

Prayer by Rev. Dr. McKinzie, Arch-deacon of the Episcopal Diocese of San Antonio.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Bills and Resolutions.

By Senator Holbrook:

S. B. No. 460, A bill to be entitled "An Act fixing the salary of the State Health Officer of the State of Texas and making appropriation to pay such salary."

Read first time and referred to Committee on Finance.

By Senator Wood:

S. B. No. 461, A bill to be entitled "An Act to provide for a special warrant clerk, one occupation tax auditor and one special examiner for the State Comptroller's Department, and fixing the salaries for each of said positions for the period beginning

September 1, 1925, and ending August 31, 1927; appropriating any money in the State Treasury, not otherwise appropriated, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Wirtz:

S. B. No. 462, A bill to be entitled "An Act making a supplementary appropriation to pay for work to be carried on in the engineering experiment Station at the University of Texas for the years beginning September 1, 1925, and ending August 31, 1927."

Read first time and referred to Committee on Finance.

By Senator Reid:

S. B. No. 463, A bill to be entitled "An Act amending Section 1, Chapter 34, Acts of the Regular Session, Thirty-fifth Legislature, creating the Lipscomb Independent School District in Lipscomb County; enlarging the boundaries thereof, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Russek:

S. B. No. 464, A bill to be entitled "An Act to amend S. B. No. 183, passed as an Act of the Thirty-ninth Legislature at its Regular Session, the same being an Act making appropriations for the support and maintenance of the State Government for the two-year period beginning September 1, 1925, and ending August 31, 1927, so as to reitemize the appropriations made for the Executive Department, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senators Russek and Woodward:

S. B. No. 465, A bill to be entitled "An Act to make a supplementary appropriation out of the General Revenue of the State of Texas, not otherwise appropriated, for the support and maintenance of the State Ranger force, to be added to the appropriation as made by S. B. No. 183, passed by the Regular Session of the Thirty-ninth Legislature, for the years beginning September 1, 1925, and ending August 31, 1927.

Read first time and referred to Committee on Finance.